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CHAPTER TEN

PERSONNEL

Duties/Classifications

Standard 1000 - Duties and Responsibilities

A written directive requires a statement of the duties and responsibilities of each position within the agency. These statements shall be available to agency personnel in a manner defined by the agency.

Guideline: Statements of duties and responsibilities for each position within the agency should be prepared and made available to managers and supervisors. Such statements are key elements in achieving more effective management and supervision.

Standard 1001 - Classification/Compensation

A written classification plan includes:

- (a) grouping of every job into classes based upon similarities in duties, responsibilities, and qualification requirements;**
- (b) class specifications for every job within a class;**
- (c) provisions for relating compensation to classes; and**
- (d) provisions for reclassification.**

Guideline: Classification involves describing the different kinds of work performed in an agency and consolidating similar jobs into classes based upon similarity of duties and responsibilities. Since "classes" in a law enforcement agency are usually linked to rank, the classification plan should specify the class titles and class specifications for each rank in the agency, such as police officer, deputy sheriff, sergeant, lieutenant, captain, and chief.

Standard 1002 - Agency Role Regarding Classifications

A written directive specifies the role of the agency in the development and maintenance of class specifications.

Guideline: If the agency has sole responsibility for personnel administration, then it should assume this role. If another governmental entity has the responsibility, the directive should define the agency's role in the process.

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Compensation/Benefits/Fitness

Standard 1010 - Compensation, Benefits and Conditions

A written directive or MOU describes the agency's salary, benefits and conditions of employment, including:

- (a) entry-level salary for the agency;**
- (b) salary differential within ranks;**
- (c) salary differential between ranks;**
- (d) salary levels for individuals with special skills (as defined by the agency);**
- (e) pay for special assignment (as defined by the agency);**
- (f) compensatory time policy; and**
- (g) overtime policy.**

Guideline: The salary plan for the agency should take into account agency employment standards, agency skills needs, and salary levels offered by other local employers. The salary plan should be based on the agency's position classification plan and provide for differentiation between ranks, uniform percentage increases between classes and ranks.

There should be sufficient salary differential between ranks to provide incentive for promotion and to recognize more demanding levels of responsibility.

The policy of the agency concerning the use of compensatory time off in lieu of pay, if utilized, should include conditions under which the policy would be applied, rate of accrual, and procedures for application. Overtime policy should be fully described as to what is provided, under which conditions, and the percentage of base hourly rate to be provided.

Standard 1011 - Fitness

A written directive encourages employees to maintain good general health and physical fitness.

Guideline: A satisfactory level of general health and physical fitness on the part of agency employees should be maintained so that work can be performed efficiently and without personnel shortages caused by excessive sick leave.

The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations and fitness requirements should be specified. Criteria for fitness should be those that have been shown to be directly related to the work performed.

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Recruitment and Selection

Standard 1020 - Equal Employment Opportunity

A written directive describes the agency's Equal Employment Opportunity Plan.

Guideline: The Equal Employment Opportunity Plan should ensure equal opportunities for employment and employment conditions for minority persons and women. The Equal Employment Opportunity Plan should be based on an annual analysis of the agency's present employment policies, practices, and procedures relevant to their effective impact on the employment utilization of minorities and women.

Standard 1021 - Job Announcement

The agency's job announcements describe the duties, responsibilities, and requisite skills, educational level and physical requirements for the positions to be filled.

Standard 1022 - Job Vacancies Publicized

A written directive requires that entry-level job vacancies be publicized and specifies the manner in which vacancies will be publicized.

Standard 1023 - Specialized Assignments Advertised

A written directive requires agencies to identify specialized assignments and to advertise specialized assignment vacancies agency wide by written announcement.

Guideline: Advertising agency wide for specialized assignment vacancies provides a potentially larger base of candidates and gives employees a greater choice of career opportunities. It also minimizes the feeling that selection is based on favoritism.

Standard 1024 - Specialized Assignments Selection

A written directive specifies the criteria for the selection of personnel for specialized assignments within a given position classification.

Guideline: The criteria for assignment should be based on the skills, knowledge and abilities required for the specialized assignment.

Evaluation

Standard 1030 - Performance Evaluations

A written directive establishes a performance evaluation system and defines its objectives.

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Guideline: The purposes of an evaluation system serve both management and the individual employee. Essentially, these are to: (1) foster fair and impartial personnel decisions; (2) maintain and improve performance; (3) provide a medium for personnel counseling; (4) facilitate property decisions regarding probationary employees; (5) provide an objective and fair means for measurement and recognition of individual performance in accordance with prescribed guidelines; and, (6) identify training needs.

Standard 1031 - Annual Evaluation

A written directive requires a written performance evaluation of each employee at least annually.

Guideline: Performance evaluations: (1) standardize the nature of the personnel decision-making process; (2) ensure the public that the agency's personnel are qualified to carry out their assigned duties; (3) provide job incumbents with required and expected behavior information to allow them to achieve agency expectations and to eliminate inappropriate behaviors.

Each agency may require more frequent evaluation reports to ensure that the objectives of the system are reached.

Standard 1032 - Probation Evaluation

A written directive requires at least two written performance evaluations of probationary employees during their probationary period.

Guideline: An established set of criteria should be developed to ensure the effective evaluation of personnel on probation to determine, at the earliest point, their suitability for continued employment.

Promotion

Standard 1040 - Promotions

A written directive defines the agency's procedures used for promotions.

Guideline: The directive should describe all elements used in the promotional process and may be incorporated within a comprehensive personnel management or general policy and procedures manual. Promotional criteria for lateral entry may include both eligibility qualifications and formal procedures for carrying out the process. Oral interviews should include uniform questions and rating scales and assess a defined set of personal attributes; the interview results should be recorded on a standardized form.

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Employee Misconduct

Standard 1050 - Investigation of Employee Misconduct

A written directive establishes the agency's internal affairs function, to include at a minimum:

- (a) recording, assigning a control number, and supervising the investigation of alleged or suspected misconduct of members of the agency;**
- (b) maintaining the confidentiality of the internal affairs investigation and records; and**
- (c) complying with mandated reporting procedures.**

Guideline: By law, every agency must have a policy regarding the receipt of and investigation of all allegations of employee misconduct to ensure the integrity of the agency.

The agency should specify the categories of complaints that would require investigation by the internal affairs function. All conduct of a criminal nature discovered during the investigation should be immediately brought to the attention of the appropriate criminal investigative unit or prosecuting agency.

Standard 1051 - Responsibility for Investigation of Employee Misconduct

A written directive identifies the position or individual designated as responsible for investigating employee misconduct, and authorizes that position or individual to report directly to the agency's Chief executive officer or designee.

Guideline: The sensitivity and impact of internal affairs matters require that the agency's chief executive officer or designee directly receive all pertinent information.

Standard 1052 - Notification of Employee Misconduct Investigation

A written directive establishes a notification process for employees who are the subject of an investigation of misconduct. The notification shall include the allegation against the employee and the employee's rights and responsibilities.

Guideline: For sworn personnel, attention should be directed to Government Code Section 3300, et seq (Public Safety Officers Procedural Bill of Rights). When the investigation and review process has been completed by the agency, the employee should be notified of the final disposition.

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Standard 1053 - Administrative Leave/Employee Misconduct

A written directive establishes a procedure for placing a member of the agency on paid leave status or other administrative assignment pending the conclusion of an investigation of employee misconduct.

Guideline: There are occasions when the type of allegation being investigated would require that a member of an agency needs to be removed from the function he/she may be working. Procedures for the placement of individuals on administrative leave or other assignment should be set forth in order to ensure the integrity of the investigation and the confidence of the public.

Standard 1054 - File Security/Employee Misconduct

A written directive requires that employee misconduct investigative files be maintained in a secure location determined by the chief executive officer of the agency.

Guideline: The security and confidentiality of certain files and reports is necessary and should be accessible only to designated persons. The California Department of Justice and other professional organizations offer sample policies that should be considered.

Standard 1055 - Notification of Complainants/Employee Misconduct

A written directive requires notification to the complainant when the investigation of employee misconduct is concluded.

Guideline: An agency will acknowledge the receipt of the complaint and should also provide follow-up to the complainant relative to the outcome of that complaint.

Discipline/Rules of Conduct

Standard 1060 - Disciplinary System

A written directive describes the agency's disciplinary system.

Guideline: The directive should include initiation procedures, time frames, method of recording, scope of the appeal process and ensure employee due process. The emphasis should be upon a philosophy of safeguarding the rights of employees.

Standard 1061 - Rules of Conduct

A written directive describes the agency's rules of conduct.

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Grievance

Standard 1070 - Grievance Procedures

A written directive describes the agency's grievance procedure.

Guideline: Since a formal grievance procedure is designed to resolve differences between the employee and employer, it follows logically that such procedures be written in clear, concise terms. If grievance procedures are part of a collective bargaining agreement, such agreement would meet the definition of "written directive" as used in this standard.

Standard 1071 - Grievance Annual Analysis

A written directive requires an annual review of grievances. The review shall be conducted by the agency's chief executive officer or designee.

Guideline: The grievance procedure is a valuable method for management to discover agency problems. If, through analysis, the agency's chief executive officer observes a trend in grievances, steps may be taken to minimize the causes of such grievances in the future.

Employee Death and Injury

Standard 1080 - Employee Death

A written directive establishes the procedures to be followed in the event of the death of an employee.

Guideline: The directive should list responsibilities of members of the agency and address issues such as notification of the employee's family, notification of agency executives and employees, the agency's role in services, and support and assistance to the employee's family. The directive should include provisions for providing counseling services to agency employees as needed.

Note: The California Peace Officers Association has issued a publication, "Death of a Law Enforcement Member," that may be used as a guide in establishing policies and procedures to address employee death issues.

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Standard 1081 - Employee Injury

A written directive establishes the procedures to be followed in the event of employee injury.

Guideline: The directive should list employee, supervisor, and commander responsibilities and include procedures for notification of the employee's family in the event of serious injury and requirements for reporting the incident.

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